IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO :1770 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23-07-2004 in W.P.No:12969 of 2004 on the file of the High Court.)

Between:

Primary Agriculture Cooperative Society Ltd.,

Kalledi, Makloor Mandal,

Nizamabad District rep. by Chairman Persons-In charge Committee. …Appellant.

AND

1. P. Sudarshan rao, S/o. Lakshman Rao,

   Aged 50 yrs., Occ: Secretary,

   PACS, Kalladi, R/o. Kalladi, Makloor (M), Nizamabad District.

2. The Deputy Registrar of Coop. Societies,

   Divisional Coop. Officer, Nizamabad.

   Nizamabad District.

..Respondents.

Counsel for the Appellant: Mr. Ch. Janardhan Reddy

Counsel for the Respondent No.1: Mr. Nandigama Krishna Rao

Counsel for the Respondent No.2 : Government Pleader for Cooperation

The Court made the following Oral Judgment: (per Sri Devinder Gupta, CJ)

We have heard the counsel for the parties.

The order on the face of it is against the appellant who was respondent No.2 in the writ petition and learned single judge proceeded to dispose of the writ petition of the 1st respondent-writ petitioner without even bothering to ensure service on the appellant. The order passed is contrary to the principles of natural justice and is a nullity and has to be set aside.

The writ appeal is allowed. The impugned order is set aside and the learned single judge will proceed to hear and dispose of the writ petition in accordance with law.

Parties to appear before the learned single judge on 29.11.2004.

_____

DEVINDER GUPTA, CJ

Date: 4th November, 2004

_____

C.V.RAMULU,J

Pnb

To

1. P. Sudarshan rao, S/o. Lakshman Rao,

Aged 50 yrs., Occ: Secretary,

PACS, Kalladi, R/o. Kalladi, Makloor (M), Nizamabad District.

2 The Deputy Registrar of Coop. Societies,

Divisional Coop. Officer, Nizamabad.

Nizamabad District.

3. Two CCs. to the Government Pleader for Cooperation, High Court

Buildings,Hyderabad. (OUT)

4. Two C.D. copies